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TERMS OF REFERENCE

British Columbia Construction Safety Alliance Prime Contractors Technical Advisory Committee



	BCCSA REPRESENTATIVE	PCTAC PRESENT CHAIR
Name:	Erin Linde	Mike de Jong
Position:	Director; Health & Safety Services	Health and Safety Manager
Date:		
Signature:		<i>Mike de Jong</i>

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REVISION HISTORY

Version	Revision Date	Pages Revised	Description of the Revision
			INITIAL ISSUE Final Sign-off
1	March 23, 2023	5, 6, 7	4.1 – amended to specify role of WorkSafeBC CES representative and guidance for a representative who cannot attend a monthly meeting 4.3d – amended to include additional BCCSA Rep. responsibility re: TAC issues 4.6 – amended to include “fail to attend 75% of month meetings” and removed “12 meetings per year) Removed Member Contact List

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1. TERMS OF REFERENCE (TOR)

Terms of Reference (ToR) will set out the working arrangements for a Prime Contractors Technical Advisory Committee (PCTAC) and can list vital information about the committee, such as its purpose, chair and membership, meeting schedule, level of administrative support, and dispute resolution processes.

2. PURPOSE

Prime Contractors are central and fundamental to the application of the Workers Compensation Act in the construction industry of B.C., they are very important parties in construction health and safety. There are large companies and organizations that oversee major construction projects as well as small entities that are not even aware of the critical role and responsibility they have under the laws of the Province of B.C.

The PCTAC is a place that Prime Contractors can come together to gather, review, and disseminate safety information on an industry-wide basis concerning the unique and important role played by Prime Contractors. This is especially important given the lack of published WorkSafeBC Guidelines or Prevention Policies regarding the application of Workers Compensation Act, Section 24 & Occupational Health & Safety Regulation 20.3 – Coordination at multiple-employer workplaces.

For this reason, the PCTAC was formed.

The BCCSA mission is to engage BC Construction employers and employees and assist them in making construction safe and healthy. They will provide the construction industry with an unbiased infrastructure for companies to gather and work together on an equal basis.


3. DUTIES AND FUNCTIONS OF THE COMMITTEE

The Committee is responsible for the following duties and functions:

- a. Assess current industry safety best practices and outcomes relating to Part 2 Division 4 of the WCA, to avoid duplication in efforts, while filling in gaps as needed
- b. Gather and disseminate statistics and other information to help “raise the bar” for safety
- c. Facilitate industry-driven safety reviews, as appropriate, with a view to maintaining and improving safety performance
- d. Review best practices of other industries to learn from the experiences of others
- e. Serve as a forum to discuss issues of common concern, and share useful findings and innovations with industry
- f. Provide industry with information to assist them in their role and responsibilities regarding occupational health and safety
- g. Recommend best practice development to the BC Construction Safety Alliance
- h. Assist industry with the resolution of current health and safety issues and or concerns

4. MEMBERSHIP

PCTAC Membership shall be limited to staffed health and safety professionals and other managers, that work for companies in the construction industry (Sector 72) which undertake the role of prime or general contractor

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and are registered with WorkSafeBC and have Certificate of Recognition (COR®) or intent to achieve COR® (within 12 months).

4.1 Committee Representation

The committee shall consist of minimum six (6) representatives:

- a. (4) Prime Contractor Representatives,
 - a. one (1) Chair,
 - b. one (1) Co-chair
- b. Representative one (1) from BCCSA *Ex-Officio*
- c. Representative one (1) from WorkSafe BC *Ex-Officio (by invitation)*

No person serving as a member of the committee is personally liable for anything done or omitted to be done by the person in good faith, under the authority or purported authority.

The PCTAC intends to be inclusive of the whole industry and, as such, invites interested parties to attend, and/or to apply for membership. Additional members may apply in writing to the Chair and upon approval by a majority vote of the PCTAC selected for membership.

Internal or external persons (Resource Personnel) not part of the committee from time to time may attend the meetings at the request of the Chair to provide advice and assistance where necessary. The WorkSafeBC CES-Construction Representative may inform the BCCSA Representative when WorkSafeBC has requested to present to the TAC. Resource Personnel have no voting rights and may be requested to leave the meeting at any time by the Chair.

In addition, committee members may be asked to participate in meetings outside of the PCTAC scope, for industry initiatives as applicable.


Long term absence, committee members are to communicate to the BCCSA Chair of their intended absence to maintain their good standing.

A representative, unable to attend a monthly meeting, is responsible for advising BCCSA Administration. If the representative intends to provide an alternative guest, it is the responsibility of the representative to inform the BCCSA Administration 24 hours prior to the meeting and forward the meeting information to the alternate.

4.2 Committee Chair Representative

The chair(s) are responsible for:

- a) Control the meetings, normally in accordance with Robert’s Rules of Order
- b) Ensure the maintenance of an unbiased viewpoint
- c) Ensure meetings stay on topic, and within the allotted time
- d) Review agendas with committee Facilitator

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- e) Review previous meeting documentation and material prior to the meetings
- f) Attend other applicable meetings
- g) Ensuring the Committee fulfills its mandate

4.3 BCCSA Representatives/Facilitator

- a. Support the chair in controlling the meetings
- b. Develop agendas and review with the committee Chair and with input from committee members
- c. Secure speakers for presentations and arrange site visits
- d. Connect with WorkSafeBC, in collaboration with WorkSafeBC's CES-Construction Department, regarding TAC issues
- e. Review previous meeting documentation and material prior to the meetings
- f. Develop and manage the committee budget
- g. Organize and conduct an annual analysis of the committee
- h. Develop and manage annual work plans in consultation with the Chair and committee
- i. Liaise with BCCSA management
- j. Prepare status updates to member's executive leadership
- k. Prepare project proposals
- l. Project manage any committee initiatives

4.4 BCCSA Administration


The Administrator shall:

- a. Set up, distribute, and manage meeting invites
- b. Take meeting minutes
- c. Distribute meeting agendas
- d. Update committee member contact information

4.5 Committee Member Participation Responsibilities

To maintain good standing membership at a minimum member are to;

- o Attend a minimum of 75% of monthly meetings per year and,
- o Participate or support to at least one subcommittee per year, or
- o Participate or support to BCCSA industry guidance documentation, or
- o Participate in the development of a BCCSA initiative, or

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- Provide a Lessons Learned presentation to the committee, or
- Organizes and facilitates an external special guest presenter to the committee, or
- Activities approved by the chair.

4.6 Inactive Members

Committee members are expected to attend meetings and to participate in Committee activities. The Committee BCCSA Representative and Chair shall monitor participation by Committee members and will contact inactive Committee members (i.e., those who fail to **attend two** consecutive meetings, fail to attend 75% of monthly meetings, or to otherwise do not participate in Committee activities for one year).

Committee members will cease to be members of the PCTAC if they:

- a. Resign from the committee
- b. Fail to attend multiple regularly scheduled meetings
- c. End their employment in the industry
- d. Breach confidentiality
- e. Are in a perceived conflict of interest which they decline to resolve in a timely fashion, as determined by the chairperson.

4.7 Voting Rights/Quorum

A quorum exists when 50% of the current members attend in person or virtually.

Decisions/Votes - Each member has one vote, and voting occurs by 'show of hands' are passed if a simple majority of members vote in favour. Changes to the Terms of Reference and/or Mandate must be agreed upon by 75% of the members.

4.8 Diversity

The PCTAC currently represents a diverse, equal, and inclusive membership.


5. MEETING PROCEDURES

Meetings shall be held monthly, unless voted and agreed upon by the membership.

Meetings of the PCTAC will be held on the **second Tuesday** of every month, however; subcommittees may be assigned specific tasks and meet as necessary.

An agenda shall be distributed prior to each meeting. Minutes will be recorded by the BCCSA Administrator and sent to all committee members for review, prior to the next scheduled meeting.

Meetings are open to interested parties, and such parties that may be invited to participate at the discretion of the BCCSA and Chair.

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Only registered members can vote.

Minutes, once reviewed by the committee, will be available to industry through a variety of means including being distributed to member employers and other partner organizations.

When necessary, members may participate via conference call or video conferencing.

The presiding co-chair at each meeting may vote on every matter put to a vote but does not have a deciding vote in the event of a tie. (Refer to Section 10 of this document for Dispute Resolution).

6. TERMS OF OFFICE FOR CHAIRS, CO-CHAIR & PAST CHAIR

The committee chair will be voted for a term of either one (1), or two (2) years – for a maximum of 3-year term. *(The committee recognizes that it will be more effective if terms of office overlap thereby providing for a mix of new and experienced members.)*

7. RECORDS

- a. The committee will keep and file accurate records of all matters that come before it.
- b. The minutes will track issues for each year and issue/concern item. For every issue raised, there will be a clear written recommendation for each item documented in the minutes.
- c. All members will be provided with access to a cloud-based format to allow committee members to review meeting minutes, presentation handouts, etc. from previous PCTAC Meetings. Members are expected to review the folders and keep up to date on committee business. The cloud-based format will be provided by the Co-Chair/Facilitator and is not to be shared outside the committee membership without the Chair and Co-Chair’s approval.

8. DISPUTE RESOLUTION

If the committee is unable to reach agreement on a matter brought forward by the members, the Chair and BCCSA Ex-officio will investigate and develop a strategy to resolve the matter.

9. CONFIDENTIALITY


The committee encourages members to openly share workplace history and situations, keeping in mind that all members have agreed to a general confidentiality. Information identified as confidential may not be discussed or circulated outside of meetings. Any breach of confidentiality may be investigated by the Chair & BCCSA Ex-Officio and to determine resolution outcome based on the investigation findings.

10. COMMITTEE RECOMMENDATIONS

The committee during the course of their meetings will discuss existing and newly proposed matters.

Matters proposed by the committee may require further support from the BCCSA Executive Director (e.g. advertisement, finance etc.).

Once the matters have been reviewed and further support from BCCSA is required, a formal recommendation letters from the Chair shall written and presented to BCCSA.

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BCCSA will formally reply in writing with action to follow within 21 calendar days.

11. TERMS OF REFERENCE ANNUAL REVIEW & AMENDMENTS

The PCTAC Chair and BCCSA Representative will ensure that, with respect to each committee, a written evaluation is conducted annually. The evaluation must contain, but is not limited to, the following information:

- a. The committee met the membership requirements under the ToR
- b. Member representatives on the committee were selected in accordance with the ToR selection process
- c. The committee fulfilled each of its duties and functions under the ToR
- d. The committee met regularly as required under the ToR;
- e. An assessment of the overall effectiveness of the committee has been achieved.
- f. Summary of achievements and industry support provided by the PCTAC.